THE HON'BLE SRI. JUSTICE GODA RAGHURAM

W.P.No. 5714 of 2006

23-03-2006

Between:-

Vennapu Sathyavathi

Petitioner

And

The Revenue Divisional Officer, Narsapuram, West Godavari district.

Respondent

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 5714 of 2006

Oral order:

The petitioner's father was a fair price shop dealer in respect of Shop No.60, Palakole, Palakole Mandal, West Godavari district. He functioned as an authorisee of the fair price shop for a considerable period. He expired on 25-11-2005 and thereafter the petitioner submitted a representation dated 30-01-2006 to the respondent seeking appointment as a Fair price Shop dealer on the death of her father on the ground that she does not have any alternative livelihood, she is qualified, experienced and also physically handicapped. The petitioner now states that the respondent is about to notify inviting applications for filling up the vacancy of Fair Price Shop No.60, on regular basis without giving priority consideration to her representation dated 30-01-2006.

The petitioner does not either plead, assert or establish that she has a prioritized right for consideration for appointment as a Fair Price Shop dealer on account of the fact that she is the daughter of a deceased fair price shop dealer, who has functioned as such for long. A legal right is normatively the foundation for issuance of a Mandamus. No such legal right is established. The petitioner's

application is misconceived and the writ petition is accordingly dismissed at the stage of admission. As and when a notification is issued, the petitioner, if otherwise eligible, is at liberty to apply. No costs.

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GODA RAGHURAM, J

Dated:23-03-2006

Pvks/*